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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 JUAN RODRIGUEZ,

14 Defendant

Case No.: 2:09-cr-262

15 **MOTION FOR EXTENSION OF
16 TIME**

17 JUAN RODRIGUEZ, by and through his counsel, JIM HOFFMAN,
18 hereby requests that the Court grant an extension of the deadline to file a Reply to
19 the Government's Response (ECF 397) to Mr. Rodriguez' 2255 petition (ECF
20 387). The Reply is currently due 9/21/21; the requested new deadline is 10/19/21.

21 Dated September 21, 2021.

22 /s/ Jim Hoffman

23

Jim Hoffman, Esq.

ARGUMENT

The instant matter is a 2255 petition brought under *Rehaif v. United States*, challenging Mr. Rodriguez' 2011 conviction for being a felon in possession of a firearm. A pro forma petition was filed by the FPD's office, who then withdrew and the undersigned was appointed. While the undersigned has reviewed all documents in this case, he is still in the process of obtaining documents related to Mr. Rodriguez' prior felony conviction (a 1982 case from California federal court, which was reversed and then resentenced in 1984)). Due to the age and geographic distance, these documents have been more difficult to obtain than expected.

An extension is requested because these documents go directly to whether Mr. Rodriguez can obtain relief under *Rehaif*. In addition, they relate to the arguments the Government makes in its Response. An extension of time to file the Reply (as well as an amended/supplemental petition) would allow the undersigned to complete his due diligence and ensure that the Court and the Government have all the information before them to accurately and fairly judge whether Mr. Rodriguez' conviction is constitutionally valid or not. Mr. Rodriguez therefore respectfully asks the Court to grant this request and set a new deadline of October 19, 2021.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUAN RODRIGUEZ,

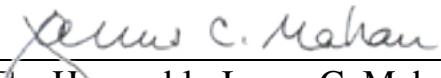
Defendant

Case No.: 2:09-cr-262

**ORDER GRANTING EXTENSION
OF TIME**

GOOD CAUSE APPEARING, Defendant's Motion for Extension of Time (ECF 398) is hereby granted. The new deadline for the Reply is 10/19/21.

Dated September 23, 2021.


The Honorable James C. Mahan